

APPEAL NO. 021310
FILED JULY 8, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on April 19, 2002. The hearing officer resolved the disputed issues by determining that the respondent (claimant) is entitled to supplemental income benefits for the first compensable quarter. The appellant (carrier) contends that this determination is against the great weight and preponderance of the evidence. The appeal file contains no response from the claimant.

DECISION

A timely appeal not having been filed, the decision and order of the hearing officer have become final pursuant to Section 410.169.

Records of the Texas Workers' Compensation Commission reflect that the hearing officer's decision was received by the carrier's representative on April 26, 2002. Pursuant to Section 410.202(a), for an appeal to be considered timely, it must be filed or mailed within 15 days, excluding Saturdays, Sundays, and holidays listed in the Texas Government Code, of the date of receipt of the hearing officer's decision. The deadline for the carrier to file an appeal was May 17, 2002, however, the envelope containing the carrier's appeal reflects that it was mailed on May 20, 2002. There is no indication that the appeal was faxed or hand-delivered at an earlier date.

Because the carrier's appeal was not timely filed, the hearing officer's decision and order have become final pursuant to Section 410.169 and Rule 142.16(f).

The true corporate name of the insurance carrier is **AMERICAN RISK FUNDING COMPANY** and the name and address of its registered agent for service of process is

**MR. RON ARTHUR
12222 MERRITT DRIVE
DALLAS, TEXAS 75251.**

Susan M. Kelley
Appeals Judge

CONCUR:

Gary L. Kilgore
Appeals Judge

Robert E. Lang
Appeals Panel
Manager/Judge